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EXAMINER	
SHINGLES, KRISTIE D	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/498,396	ANOOSHFAR, SAEED	
	Examiner	Art Unit	
	Kristie Shingles	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 July 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-25 are pending

RESPONSE TO AMENDMENTS

1. Claims 1, 7, 21 and 23-25 have been amended.

RESPONSE TO ARGUMENTS

2. Applicant's arguments with respect to claims 1, 7, 21 and 23-25 have been considered but are moot in view of the new ground(s) of rejection.

CLAIM REJECTIONS - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1, 2, 4, 5, 7, 8, 10, 11, 18, 19 and 21-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lo et al* (US 5,911,044) in view of *Cunningham* (US 6,208,436) and further in view of *Owa et al* (US 2001/0043357).

a. **Regarding claim 1,** *Lo et al* teach a computer network scanning system for fulfilling a scan order over a computer network (col.1 lines 14-16), said system comprising: at

least one computer terminal adapted to receive input for creating the scan order and sending the scan order to an order entry server; at least one order entry server computer configured to receive the scan order from the computer terminal and to create and distribute scan orders to at least once scanner node, each order entry server computer being coupled to said at least one computer terminal through the computer network; and at least one scanner node, each scanner node being coupled to said at least one computer terminal and each order entry server computer through the computer network, each scanner node being configured to receive and process scan orders sent to the scanner node by at least one of the order entry servers, and each scanner node being configured to generate a scanned image based on the received scan order and to send the scanned image to the network address included in the received scan order (col.2 lines 22-25 and col.24 lines 65-67).

Lo et al does not teach at least one computer terminal adapted to receive input including any address for sending scanned image, the address being input by a requestor and the input scan setting. *Cunningham* teaches at least one computer terminal adapted to receive input, the scan order including at least one network address to which a scanned image is to be sent, the address being input by a requestor (abstract, col.3 lines 1-8, col.6 lines 9-13 and 25-34, col.7 lines 14-20 and 29-40, col.9 lines 58-61 of *Cunningham*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network image scanning system of *Lo et al* by having at least one computer terminal adapted to receive input including any address for sending scanned image, the address being input by a requestor because the system has the ability to send the scanned image to a third party.

Lo et al in view of *Cunningham* fail to explicitly teach each scanner node being configured to select a scan order from a plurality of scan orders received, at least one inputting a scan setting for causing a scanner node to scan an image, to cause an order entry server computer to retrieve the scanner node having a suitable scan capability corresponding to the input scan setting and a computer terminal adapted to retrieve a scanner node having a suitable scan capability from among a plurality of scanner nodes, to receive input for creating the scan order for scanning an image at the retrieved scanner node, and at least one order entry server computer configured to retrieve the scanner node having the suitable scan capability based on an instruction by the computer terminal and to create and distribute in accordance with the scan capability of the retrieved scanner node. However, *Owa et al* teach a printer selection device that selects a suitable printer for printing a document based on the settings and specifications input by the user and the corresponding capabilities of the printing device (Abstract; page 2 paragraphs 0035-0045; page 3 paragraphs 0049-0054, 0058 and 0060-0063; page 4 paragraphs 0064-0068; page 8 paragraphs 0121-0126). Furthermore, print order is determined by document features and the status of each printer, wherein documents are sorted into print page groups based on attributes of the document and transmitted to the appropriate printers based on the network address of the printer (page 5 paragraphs 0074-0077; page 6 paragraph 0086; page 7 paragraphs 0102-0103; page 9 paragraph 0138, 0145-0146).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network image scanning system of *Lo et al* in view of *Cunningham* by having the client specify the desired scanning functions/capabilities for a particular scan order and then implementing a selection process that matches the user's desired

parameters with a suitable scanning device capable of fulfilling the user's scan order—this provides an efficient way for selecting optimum scanning devices that meet the user's expectations, without having the users manually search for printers with the desired specifications.

b. **Regarding claim 7,** *Lo et al* teach a computer network scanning method (col.23 lines 38-40) for fulfilling a scan order over a computer network having at least one scanner node (col.1 lines 14-16), said method comprising: creating the scan order at a local computer terminal, wherein the scan order includes an identification of an item to be scanned (col.3 lines 26-28 and col.15 line 21) and an address of at least one of the individuals (col.9 line 2); submitting the created scan order to at least one scanner node for processing; processing the scan order at the scanner node; and updating the scanner node(s) on the computer network (col.1 lines14-16).

Lo et al does not teach the selection of the individuals address from a group. *Cunningham* teaches selection from the group comprising (A) recipients of the scanned document (pg.2, section 0026), and (B) recipients of notification of completion of the scan order, wherein the recipients of notification of completion of the scan order may comprise individuals other than a requestor that initiates the scan order (abstract, col.3 lines 1-8, col.6 lines 9-13 and 25-34, col.7 lines 14-20 and 29-40, col.9 lines 58-61). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was mad to further modify the network image scanning system of *Lo et al* by having the selection of the individuals address be from a group of recipients of the scanned document and recipients of notification of completion because different individuals may be interested in different parts of the scanning process.

Lo et al in view of *Cunningham* fail to explicitly teach displaying the identification of the input scan setting included in the scan order and processing the scan order at the scanner node, updating the scanner node(s) which processes the scan order on the computer network, inputting a scan setting for causing a scanner node to scan an image, to cause an order entry server computer to retrieve the scanner node having a suitable scan capability corresponding to the input scan setting and a computer terminal adapted to retrieve a scanner node having a suitable scan capability from among a plurality of scanner nodes, to receive input for creating the scan order for scanning an image at the retrieved scanner node, and at least one order entry server computer configured to retrieve the scanner node having the suitable scan capability based on an instruction by the computer terminal and to create and distribute in accordance with the scan capability of the retrieved scanner node. However, *Owa et al* teach a printer selection device that selects a suitable printer for printing a document based on the settings and specifications input by the user and the corresponding capabilities of the printing device (Abstract; page 2 paragraphs 0035-0045; page 3 paragraphs 0049-0054, 0058 and 0060-0063; page 4 paragraphs 0064-0068; page 8 paragraphs 0121-0126). Furthermore, print order is determined by document features and the status of each printer, wherein documents are sorted into print page groups based on attributes of the document and transmitted to the appropriate printers based on the network address of the printer (page 5 paragraphs 0074-0077; page 6 paragraph 0086; page 7 paragraphs 0102-0103 and 0106-0110; page 9 paragraph 0138, 0145-0146). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network image scanning system of *Lo et al* in view of *Cunningham* by having the client specify the desired scanning functions/capabilities for a

particular scan order and then implementing a selection process that matches the user's desired parameters with a suitable scanning device capable of fulfilling the user's scan order—this provides an efficient way for selecting optimum scanning devices that meet the user's expectations, without having the users manually search for printers with the desired specifications.

c. **Regarding claim 21,** *Lo et al* teach a computer network scanning method for fulfilling a scan order over a computer network having at least one scanner node (col.1 lines 14-16 and col.23 lines 38-40), said method comprising: creating the scan order at a local computer terminal, wherein the scan order includes an identification of an item to be scanned (col.3, lines 26-28 and col.15 line 21) and an address of at least one individual (col.9 line 2); storing the scan order in a central database (col.15 lines 27-30); retrieving the scan order for a scanner node; processing the retrieved scan order at the scanner node designated in the scan order; and updating the central database (col.16 lines 10-11).

Lo et al does not teach the selection of the individuals address from a group. *Cunningham* teaches selection from the group comprising (A) recipients of the scanned document (pg.2, section 0026), and (B) recipients of notification of completion of the scan order, wherein the recipients of notification of completion of the scan order may comprise individuals other than a requestor that initiates the scan order (abstract, col.3 lines 1-8, col.6 lines 9-13 and 25-34, col.7 lines 14-20 and 29-40, col.9 lines 58-61). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was mad to further modify the network image scanning system of *Lo et al* by having the selection of the individuals address be

from a group of recipients of the scanned document and recipients of notification of completion because different individuals may be interested in different parts of the scanning process.

Lo et al in view of *Cunningham* fail to explicitly teach displaying the identification of the input scan setting included in the scan order and processing the scan order at the scanner node, updating the scanner node(s) which processes the scan order on the computer network, inputting a scan setting for causing a scanner node to scan an image, to cause an order entry server computer to retrieve the scanner node having a suitable scan capability corresponding to the input scan setting and a computer terminal adapted to retrieve a scanner node having a suitable scan capability from among a plurality of scanner nodes, to receive input for creating the scan order for scanning an image at the retrieved scanner node, and at least one order entry server computer configured to retrieve the scanner node having the suitable scan capability based on an instruction by the computer terminal and to create and distribute in accordance with the scan capability of the retrieved scanner node. However, *Owa et al* teach a printer selection device that selects a suitable printer for printing a document based on the settings and specifications input by the user and the corresponding capabilities of the printing device (Abstract; page 2 paragraphs 0035-0045; page 3 paragraphs 0049-0054, 0058 and 0060-0063; page 4 paragraphs 0064-0068; page 8 paragraphs 0121-0126). Furthermore, print order is determined by document features and the status of each printer, wherein documents are sorted into print page groups based on attributes of the document and transmitted to the appropriate printers based on the network address of the printer (page 5 paragraphs 0074-0077; page 6 paragraph 0086; page 7 paragraphs 0102-0103 and 0106-0110; page 9 paragraph 0138, 0145-0146). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the

network image scanning system of *Lo et al* in view of *Cunningham* by having the client specify the desired scanning functions/capabilities for a particular scan order and then implementing a selection process that matches the user's desired parameters with a suitable scanning device capable of fulfilling the user's scan order—this provides an efficient way for selecting optimum scanning devices that meet the user's expectations, without having the users manually search for printers with the desired specifications.

d. **Claims 23-25** contain limitations that are substantially similar to claims 1, 7 and 21 are therefore rejected under the same basis.

e. **Regarding claim 4**, *Lo et al* in view of *Cunningham* and *Owa et al*, teach the computer network scanning system of claim 1, *Lo et al* further teach wherein each order entry server computer comprises: a user interface module coupled to the computer network and adapted to receive scanner settings and parameters for the scan order from the terminal(s) (col.26 lines 28-29; *Owa et al*: page 2 paragraphs 0035-0045); a scanner directory service module coupled to the user interface module and configured to provide a capability profile for each scanner node on the computer network (col.14 lines 40-45; *Owa et al*: page 6 paragraphs 0088-0090); a scan order reconciler module coupled to the scanner directory service module and to the user interface module and adapted to receive scanner settings and parameters for the scan order inputted through the user interface module, the scan order reconciler module configured to compare a capability profile for a scanner node with the inputted scanner settings and parameters for consistency and to provide notification through the user interface module of any inconsistencies (col.12 lines 12-18, 25-27 and 32-35; *Owa et al*: page 2 paragraphs 0035-0045, page 3 paragraphs 0049-0063); a script writer module coupled to and adapted to receive input

from the scan order reconciler module and configured to create the scan order by translating scanner settings and parameters inputted from the terminal through the user interface module into a script that can be parsed by the scanner nodes (col.13 lines 55-56; *Owa et al*: page 7 paragraphs 0106-0114). Yet, *Lo et al* and *Owa et al* fail to teach an email server module. However, *Cunningham* teaches an email server module adapted to receive the scan order from the script writer module and configured to send electronic mail messages to any address designated in the scan order and to send the scan order to any scanner node on the computer network (abstract, col.3 lines 1-8, col.6 lines 9-13 and 25-34, col.7 lines 14-20 and 29-40, col.9 lines 58-61). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was mad to further modify the network image scanning system of *Lo et al* and printing system of *Owa et al* by having an email server module because a module is needed to transmit orders and messages between the terminal, server computer, and scanner.

f. **Regarding claim 11,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the method of claim 7, as applied above, *Cunningham* further teaches wherein the step of submitting uses electronic mail (abstract, col.3 lines 1-8, col.6 lines 9-13 and 25-34, col.7 lines 14-20 and 29-40, col.9 lines 58-61). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was mad to further modify the network image scanning system of *Lo et al* by using electronic mail because this is an efficient way of communication.

g. **Claims 18 and 19** are substantially similar to claim 4 and are therefore rejected under the same basis.

h. **Regarding claim 2,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the computer network scanning system of claim 1, *Lo et al* further teach the system further

comprising a central database coupled via the computer network to each scanner node and to each terminal, the central database adapted to store and retrieve scan orders (col.15 lines 27-30).

i. **Regarding claim 5,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the computer network scanning system of claim 4, *Lo et al* further teach wherein the scanner directory service module is a module selected from the group comprising (A) a database containing a capability profile for each scanner node on the computer network, the database populated by entering a capability profile for each scanner node before using the database (col.14 lines 54-55 and col.15 lines 27-30; *Owa et al*: page 6 paragraphs 0088-0090), and (B) a directory of capability profiles for the scanner nodes on the computer network generated on demand by a lookup/discovery software module (col.14 lines 40-45; *Owa et al*: page 6 paragraphs 0088-0090).

j. **Regarding claim 8,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the computer network scanning method of claim 7, *Lo et al* further teach wherein the step of creating the scan order comprises the substeps of accessing from an order entry server computer a user interface module which permits input of the scan order from the terminal (col.26 lines 28-29; *Owa et al*: page 2 paragraphs 0040-0045); inputting from the terminal a desired set of scanner settings and parameters through the user interface module (*Owa et al*: page 2 paragraphs 0045-0048; page 3 paragraphs 0049-0055, 0058-0063); reconciling the inputted scanner settings and parameters with a capability profile associated with each scanner node designated in the scan order; and converting the reconciled scanner settings and parameters into the scan order (col.12 lines 12-18, 25-27 and 32-35; *Owa et al*: page 2 paragraphs 0040-0045; page 6 paragraph 0086-

0093; page 8 paragraphs 0116-0123) using a script writer module associated with the order entry server computer (col.13 lines 55-56; *Owa et al*: page 5 paragraphs 0077-0084).

k. **Regarding claim 10,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the method of claim 8, *Lo et al* further teach wherein the step of reconciling comprises the substeps of: (a) retrieving from a scanner directory service module the capability profile for each of the scanner nodes in the designated scan order (col.10 line 39; *Owa et al*: page 6 paragraphs 0088-0090); (b) comparing the retrieved capability profiles of the scanner nodes with the scan order (*Owa et al*: page 3 paragraphs 0060-0063); and (c) when the scan order is inconsistent with a retrieved capability profile of a scanner node: (I) providing notification of the inconsistency through the user interface (col.12 lines 12-18, 26-28 and 32-35); and (II) executing one step selected from the group comprising (A) the selection of an alternative scanner node and repeating steps (a) through (c) above, and (B) the acceptance of the scanner node with the associated capability profile (col.12 lines 63-65 and col.13 lines 20-21; *Owa et al*: page 4 paragraphs 0065-0071).

l. **Regarding claim 22,** *Lo et al* in view of *Cunningham* a *Owa et al* teach the method of claim 21, *Lo et al* further teach wherein the step of updating the central database comprises deleting the scan order from the central database (col.17 lines 12-15).

5. **Claims 3 and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lo et al* (US 5,911,044) in view of *Cunningham* (US 6,208,436) and *Owa et al* (US 2001/0043357) in further view of *Kumpf et al* (US 6,289,371).

m. **Regarding claim 3,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the computer network scanning system of claim 1, as applied above. Yet, *Lo et al* in view of

Cunningham and *Owa et al* fail to explicitly teach each terminal has associated therewith browser software for inputting scan orders. However, *Kumpf et al* teach each terminal has associated therewith browser software for inputting scan orders (col.2 lines 30-32). Therefore it would have been obvious to one of ordinary skill in the art at the time that the invention was made to further modify the network image scanning system of *Lo et al* in view of *Cunningham* and *Owa et al* by having each terminal has associated therewith browser software for inputting scan orders because the software is needed to instruct the hardware on how to process the scan orders.

n. **Regarding claim 9,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the method of claim 8 as applied above, yet *Lo et al* in view of *Cunningham* and *Owa et al* fail to explicitly teach accessing comprises using Web browser software to retrieve a Web page, the Web page adapted to receive input concerning scanner settings and parameters. However, *Kumpf et al* teach wherein the step of accessing comprises using Web browser software to retrieve a Web page, the Web page adapted to receive input concerning scanner settings and parameters (col.2 lines 30-32 and 41). Therefore it would have been obvious to one of ordinary skill in the art at the time that the invention was made to further modify the network image scanning system *Lo et al* in view of *Cunningham* and *Owa et al* wherein accessing comprises using Web browser software to retrieve a Web page, the Web page adapted to receive input concerning scanner settings and parameters because a web page is an efficient manner of communication.

6. **Claims 6, 15, 16, 17 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lo et al* (US 5,911,044) in view of *Cunningham* (US 6,208,436) and *Owa et al* (US 2001/0043357) in further view of *Cukor et al* (US 5,168,444).

o. **Regarding claim 6,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the computer network scanning system of claim 1, as applied above. *Lo et al* further teach the system wherein each scanner node comprises: a user interface module (col.26 lines 28-29; *Owa et al*: page 2 paragraph 0040-0048); a script interpreter module for parsing the scan order in order to obtain scanner settings and parameters contained therein, the script interpreter module coupled to the user interface module (col.13 lines 55-56; *Owa et al*: page 8 paragraphs 0121-0123); a scanner driver module adapted to receive an output of the script interpreter module and to set settings and parameters of the scanner node based on the output (*Owa et al*: page 3 paragraphs 0060-0063); a scanner module coupled to the scanner driver module and adapted to receive scanner settings and parameters from the scanner driver module and configured to produce a scanned image (col.12 lines 12-18 and 25-27; *Owa et al*: page 5 paragraphs 0081-0084; page 6 paragraphs 0090-0094); and an email server module coupled to the computer network, to the script interpreter module, and to the scanner module, the email server module configured to receive the scan order sent over the computer network, to send an electronic mail message containing the scanned image to any recipients indicated in the scan order, and to send an electronic mail message without the scanned image to any parties indicated in the scan order notifying such parties of the completion of the scan order (pg.1, sections 0001 ad 0002 and pg.2, sections 0026 and 0028 of *Cunningham*). *Lo et al* in view of *Cunningham* and *Owa et al* fail to teach of a scan order queue updater and sorter module. However, *Cukor et al* teach of a scan order queue updater and sorter module coupled to the user interface module and to the script interpreter module, the scan order queue updater and sorter module configured to update and sort a queue of a scanner node (col.11 lines 53-54). Therefore, it would have been obvious to one

having ordinary skill in the art at the time the invention was made to further modify the network image scanning system of *Lo et al* in view of *Cunningham* and *Owa et al* by having a scan order queue updater and sorter module because this keeps the scan orders organized for processing by the scanner node.

p. **Claim 20** is substantially similar to claim 6 and is therefore rejected under the same basis.

q. **Regarding claim 15,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the method of claim 7 as applied above, *Lo et al* further teach wherein the step of processing comprises the substeps of: selecting one of the scan orders; obtaining an item to be scanned as specified in the scan order (col.3 lines 25-27 and col.16 lines 10-12); setting the scanner node to desired settings and parameters as specified in the scan order (col.12 lines 50-51); placing the item to be scanned in the scanner node; initiating scanning; sending a scanned image as specified in the scan order using an email server module associated with the scanner node (pg. 1, section 0001 and pg.2, section 0026 of *Cunningham*); and sending notification using the email server module associated with the scanner node of completion of the scan order to any parties indicated in the scan order (pg.2, section 0028 of *Cunningham*). *Lo et al* in view of *Cunningham* and *Owa et al* fail to teach of a queue of scan orders. However, *Cukor et al* teach of selecting one of the scan orders in the queue of the scanner node (col.11 lines 53-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the network image scanning system of *Lo et al* in view of *Cunningham* and *Owa et al* by having a scan order queue because this keeps the scan orders organized for processing by the scanner node.

r. **Regarding claim 17,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the method of claim 7, as applied above, *Lo et al* further teach wherein the step of updating the scanner node(s) on the computer network comprises the substeps of requesting count reduction of the scan order when count is greater than one, and requesting removal of the scan order from the scanner node when count equals one (col.22 lines 21-25); determining whether the scan order has been sent to any other scanner node(s) in the computer network; and when the scan order has been sent to other scanner node(s) on the computer network, sending an electronic mail message using the email server module from the scanner node which processed the scan order to each other scanner node (pg.1, section 0001 and pg.2, section 0025), requesting (A) count reduction of the scan order when count is greater than one, and (B) removal of the scan order from each other scanner node when count equals one (col.22 lines 21-25). *Lo et al* in view of *Cunningham* and *Owa et al* do not teach of a queue of scan orders. However, *Cukor et al* teach of the removal of the scan order from the queue of the scanner node (col.11 lines 53-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the network image scanning system of *Lo et al* in view of *Cunningham* and *Owa et al* by having a scan order queue because this keeps the scan orders organized for processing by the scanner node.

s. **Regarding claim 16,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the method of claim 15, *Lo et al* further teach the method wherein the step of setting the scanner node comprises the substeps of parsing the scan order using the script interpreter module associated with the scanner node; and sending commands to a scanner driver module associated

with the scanner node based upon information obtained from the parsed scan order (col.13 lines 47-51 and 55-56; *Owa et al*: page 8 paragraphs 0121-0123).

7. **Claims 12, 13 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lo et al* (US 5,911,044) in view of *Cunningham* (US 6,208,436) and *Owa et al* (US 2001/0043357) in further view of *Cukor et al* (US 5,168,444) and further in view of *Kumpf et al* (US 6,223,223).

t. **Regarding claim 12,** *Lo et al* in view of *Cunningham* and *Owa et al* teach the method of claim 7 as applied above, *Lo et al* and *Cukor et al* further teach wherein the step of processing comprises the substeps of invoking a scanning mode at the scanner node where the scan order is received (col.1 line 22 of *Lo et al*); parsing the scan order using a script interpreter module associated with the scanner node (col.13 lines 55-56 of *Lo et al*; *Owa et al*: page 8 paragraphs 0121-0123); updating a queue of scan orders (col.11 lines 53-54 of *Cukor et al*) at the scanner node using a process which eliminates from the queue all scan orders that are count-expired (col.22 lines 21-25 and Fig. 14B and 14C of *Lo et al*); prioritizing all scan orders in the updated queue according to a predetermined algorithm; and listing the prioritized scan orders (col.11 lines 54-56 of *Cukor et al*). *Lo et al* in view of *Cunningham, Owa et al* and *Cukor et al* fail to explicitly teach of time-expiration. However, *Kumpf et al* teach using a process which eliminates from the queue all scan orders that are time-expired (col.5 lines 15-16 and 57-58). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was mad to further modify the network image scanning system of *Lo et al* in view of *Cunningham*, *Owa et al* and *Cukor et al* by eliminating from the queue all scan orders that are time-expired because this will help to open up space for new orders when an order cannot be scanned or if a user does not close out a scan order in the system.

u. **Regarding claim 13,** *Lo et al* in view of *Cunningham*, *Owa et al* and *Cukor et al* teach the method of claim 12, *Lo et al* and *Cukor et al* further teach wherein the step of updating a queue of scanner orders at a scanner node (col.11, lines 53-54 of *Cukor et al*) comprises the substeps of (c) when not time-expired, determining whether the scan order has count expired;(d) when count-expired, removing the scan order from the queue; (e) when not count-expired, determining whether there is a count reduction notification associated with such scan order; and (f) when there is a count reduction notification, reduce count order associated 5 with the scan order and repeat steps (a) through (f) above (col.22 lines 21-25 and Fig. 14B and 14C of *Lo et al*). *Lo et al* in view of *Cunningham*, *Owa et al* and *Cukor et al* fail to explicitly teach of time-expiration of scan orders. *Kumpf et al* teach (a) determining whether the scan order has time-expired; (b) when time-expired, removing the scan order from the queue (col.5 lines 15-16 and 57-58). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was mad to further modify the network image scanning system of *Lo et al* in view of *Cunningham*, *Owa et al* and *Cukor et al* by eliminating from the queue all scan orders that are time-expired because this will help to open up space for new orders when an order cannot be scanned or if a user does not close out a scan order in the system.

v. **Regarding claim 14,** *Lo et al* in view of *Cunningham*, *Owa et al* and *Cukor et al* teach the method of claim 12, as applied above. *Lo et al* in view of *Cunningham*, *Owa et al* fail to explicitly teach a predetermined algorithm. However, *Cukor et al* teaches the predetermined algorithm is an algorithm selected from the group comprising (A) first-in first-out, (B) alphabetical, and (C) requestor-specified priority level (col.11 lines 54-56). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was mad to

further modify the network image scanning system of *Lo et al* in view of *Cunningham*, *Owa et al* by having a predetermined algorithm because an algorithm is needed to select which scan order to process when multiple orders are present.

CONCLUSION

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Okubo et al (7,088,472), Hower Jr et al (5,467,434), Kubo et al (6,765,691), Ogawa et al (6,115,739), Daur et al (6,167,456).

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER